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5 Attorney for Debtor

6 UNITED STATES BANKRUPTCY COURT
 7
 8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 ANDRE W HOWELL

12 Debtor.

) CASE NO.: 23-12361

) Chapter 13

) DCN: BDB-1

) NO HEARING

) United States Bankruptcy Court

) 2500 Tulare Street

) Fresno, CA 93721

) Judge: Hon. RENÉ LASTRETO II

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 17 **EX PARTE MOTION TO DISMISS UNDER 11 U.S.C § 1307(b)**

18 HON. RENÉ LASTRETO II:

19 The above-named Debtor, ANDRE W HOWELL, by and through his attorney Benny D.
 20 Barco, hereby petitions the Court for an Order allowing the debtor to dismiss his case pursuant to
 21 11 U.S.C § 1307(b). This ex-parte motion is based upon the following information and
 22 Declaration of ANDRE W HOWELL filed concurrently herewith.

- 23 1. Debtor filed a voluntary petition on October 24, 2023.
- 24 2. Debtor filed the above-captioned petition for relief under Chapter 13 of the Bankruptcy
- 25 Code and an order for relief was granted.
- 26 3. The above-captioned bankruptcy case has not been converted under 11 U.S.C Section
- 27 1112.
- 28

1 4. Debtor filed this request pursuant to 11 U.S.C § 1307(b) and the facts stated in Debtor's
2 declaration.

3 WHEREFORE, debtor prays for an Order dismissing the above-referenced case without
4 prejudice.

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6 Dated: November 9, 2023 **BARCO LAW, A Professional Corporation**

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8 /s/ Benny D. Barco
9 BENNY D. BARCO
Attorney for Debtor

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